

REMARKS

Claims 1-48 are now pending in the application. Claims 1, 8, 19, 22, 33, and 37 are now amended. The claim amendments are fully supported by the application as filed and do not present new subject matter. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-8, 19-22, 33-37, and 48 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Burstein et al. (U.S. Pat. No. 2005/0027365). This rejection is respectfully traversed.

Amended Claim 1 recites "said wear reduction device is coplanar with at least one of said superior tibial component surface and said inferior bearing surface." Amended Claim 19 recites "a wear reduction device located at said superior surface and coplanar with both said superior surface and said bearing engagement surface." Amended Claim 33 recites, "a first member having a first surface; a second member with a second surface that engages said first surface of said first member; and a wear reduction device provided on and co-planar with at least one of said first surface and said second surface to reduce wear of said first member and said second member."

The Burstein et al. reference appears to disclose, with reference to Figure 3, a tibial tray 302 having "one or more diamond bearing surfaces 310" [¶0084]. The surfaces 310 protrude or "stand proud" of the remainder of the tibial tray.

The Burstein et al. reference fails to disclose or suggest at least the above recited co-planar features of each of amended Claims 1, 19, and 33. Therefore, the

Burstein et al. reference fails to anticipate or render obvious amended independent Claims 1, 19, and 33, as well as the combination of the independent claims with their respective dependent claims.

REJECTION UNDER 35 U.S.C. § 103

Claims 9-18, 23-32, and 38-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Burstein et al. reference. This rejection is respectfully traversed.

Claims 9-18, 23-32, and 38-47 are each dependent upon one of amended independent Claims 1, 19, and 33. As set forth above, the independent claims are not anticipated or obvious in light of the Burstein et al. reference. Therefore, the combination of the independent claims with the respective dependent claims is also not obvious in light of the Burstein et al. reference.

Applicants respectfully request reconsideration and withdrawal of this Section 103 rejection.

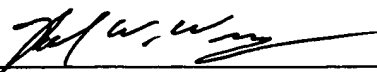
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Mar 16, 2007

By: 
Richard W. Warner
Reg. No. 38,043

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

[GGS/BEW/BGS/cn]